

GOVERNOR WELLS VETOES
ANTI-VACCINATION BILLSays It Is "a Backward Step" and Offers a
Substitute.House Will Distribute 1,000 Copies of Message Before Tak-
ing Further Action.

Extracts From the Governor's Message

"Practically the entire scientific world agrees that vaccination and revaccination is a certain preventative of smallpox."
"The American citizen is guaranteed no rights which interfere with the rights or conduct with the welfare of others."
"Quarantine is a restraint of liberty. Yet no one who has the public welfare at heart complains of it."
"If a person may be restrained who is already infected with disease, another may be compelled to do an act which will prevent him from becoming infected."
"Children of the school age are wards of the state. It can exercise control over them."
"Iowa, with 240 cases of smallpox, compelled every person over one year of age to be vaccinated, while in Utah more than 3,000 cases have been reported."
"To place among our statutes such a bill as this would be a step backwards, which will be disastrous."

Governor Wells' veto of the McMillan anti-vaccination bill was presented to the house at its pre-junct session yesterday morning. The message was read by Chief Clerk Steele and attentively listened to by every member present. There were no demonstrations, either of approval or disapproval during the reading or at its conclusion. The opponents of the McMillan bill in the house were in most complimentary terms of the veto. Benner X. Smith and others characterized it as one of the strongest papers that could have been prepared on the subject. Members who voted for the bill admitted the strength of the veto but no one of them was willing to say he would vote to sustain it. It is said by those close to the governor that he has spent many days in a most thorough and conscientious investigation of the subject. Not only were the most eminent medical authorities consulted, but his excellent record statements from all but three of the governors of other states, with reference to vaccination laws in force elsewhere. After citing these statements he expresses his opinion that the McMillan bill is "a backward step" and sends to the legislature a substitute measure designed to strengthen the hands of the health board in dealing with epidemics.

It is stated that tremendous pressure has been exerted against the governor by the anti-vaccinationists, and that many Republicans have also agreed to him to approve the McMillan bill as a party measure, but he could not be swayed from his convictions, as expressed in his message to the legislature. When the message had been read in the house, an effort was made to amend it, opponents of the McMillan bill sent immediate consideration. A large number of members were present, and had the question of passing the measure over the governor's veto been brought to a vote, the anti-vaccinationists would have been defeated. It is stated that the governor's message to the committee on public health, with the veto and substitute bill, was widely circulated and developed that several members who had supported the McMillan bill were now in a state of indecision. It is expected that the bill will be passed over the governor's veto in the house, but it is stated that the governor will be able to muster the necessary two-thirds in the senate.

The Veto Message.
Following is the veto message:
To the House of Representatives, Feb. 8, 1901.
I have the honor to return herewith, with my approval, but with a statement of reasons, the bill for the purpose of vaccination, together with my recommendations. I have also in my recommendations, in my bill No. 10, a substitute measure, designed to strengthen the hands of the health board in dealing with epidemics. I have also in my recommendations, in my bill No. 10, a substitute measure, designed to strengthen the hands of the health board in dealing with epidemics. I have also in my recommendations, in my bill No. 10, a substitute measure, designed to strengthen the hands of the health board in dealing with epidemics.

Questions Involved.
The questions involved in the measure, it seems to me, may be thus stated:
First—Is compulsory vaccination an infringement upon the sacred rights of the individual?
Second—Is it a necessary and proper exercise of the police power of the state?
Third—Is it a necessary and proper exercise of the police power of the state?
Fourth—Is it a necessary and proper exercise of the police power of the state?
Fifth—Is it a necessary and proper exercise of the police power of the state?
Sixth—Is it a necessary and proper exercise of the police power of the state?
Seventh—Is it a necessary and proper exercise of the police power of the state?
Eighth—Is it a necessary and proper exercise of the police power of the state?
Ninth—Is it a necessary and proper exercise of the police power of the state?
Tenth—Is it a necessary and proper exercise of the police power of the state?

Gov. Wells' Substitute Bill.

And for an act authorizing the state and local boards of health to make and enforce rules and regulations to protect the inhabitants of the state against malignant contagious or infectious diseases, and providing a penalty for the violation of this act, and the rules of the said boards made in pursuance thereof.
Section 1. Whenever upon investigation by the state or local boards of health and boards are of the opinion that any malignant, contagious, or infectious disease is epidemic in this state, or that the health of the state is in danger, or that any part of it is such that any laws are hereby authorized, and it shall be their duty to at once make and enforce such rules and regulations and adopt such measures as may be necessary to prevent the spread of such diseases, and all sheriffs, constables and other officers throughout the state are hereby charged with the duty of enforcing the orders of the said boards of health in the enforcement of said rules and regulations; Provided, That the said boards shall not have the power or authority to exclude from school unvaccinated children in districts where smallpox does not exist.
Section 2. Every person who shall violate any of the provisions of the preceding section or any of the rules and regulations of the state board of health made in accordance therewith, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine in any sum not to exceed \$100, or imprisonment in the county jail not exceeding thirty days, or by both said fine and imprisonment.



The McMillan Bill on the Cooling Board.

WILCOX MAKES
HIS DEFENSEAdmits Writing Letters to
Filipinos.SAYS HE WAS UNDER
MISAPPREHENSIONDeclares He is Now a Loyal
American.

Delegate Wilcox of Hawaii has replied to the charges against him. He asserts his loyalty to the United States, commends the organic law passed for Hawaii, acknowledges writing letters to the Philippines, but says they were written under a misconception; declares that he was elected under a fair and free election and is entitled to hold his seat.

The charges were taken up today by house committee on elections, No. 1. Mr. Wilcox was present, accompanied by Representative Robinson of Indiana, who appeared as his friend and counsel. Mr. Robinson stated at the outset that as Mr. Wilcox was unfamiliar with the procedure in election contests, he had consented to appear in behalf of the delegate.

The written answer of Mr. Wilcox was submitted. He claims that many of the charges preferred against him are without merit. In regard to the letters he is accused of having written, dated respectively Jan. 31, 1899 and Jan. 31, 1900, he says that he was under a misconception as to the nature of the letters, and that he was under a misconception as to the nature of the letters, and that he was under a misconception as to the nature of the letters.

Mr. Robinson added that the delegate had received no notice of contest, as provided by the rules. He asked under the circumstances that ten days be allowed for preparation of the answer. The committee proposed to conduct a formal contest.

George D. Gear, who makes the charges, was asked to produce the originals of the letters and until these could be secured the committee went into executive session to determine its course of action.

Text of Wilcox's Reply.
At the afternoon session Representative Robinson presented the following specific answer of Mr. Wilcox to the charges contained in the letters submitted:

"That he (Wilcox) is a native Hawaiian, that he shared with the native people in their loyalty to the former Queen Liliuokalani during her reign and was not in sympathy with the reigning power immediately succeeding her reign."

"That after the annexation of Hawaii he did not understand the instructions of the President of the United States, but all doubts were dispelled when the congress gave to the people of Hawaii a splendid system of organic laws."

"That in common with the people, he at all times, with genuine patriotism, supported the United States and its institutions and is now and has been a loyal supporter of the constitution, laws and government of the United States."

Admits Writing Letters.
"He admits that on Jan. 31, 1899, and on March 8, 1899, he wrote letters appearing in the petition; that said letters were of a personal and confidential nature and sent to one whom he supposed was a friend and who he thought was a native Hawaiian, and that he was further says that said letters were written by him under an entire misconception of the real attitude of the government of the United States toward the people of Hawaii."

"That under the laws of the United States entire and free election, as was elected as a delegate from Hawaii and no reason exists or has existed disqualifying him."

The additional letters written by Mr. Wilcox were submitted and he made the same answer to them. These letters were written in 1899 and criticized the American course in the Philippines. Mr. Gear, the prosecutor, then contended that the election of Wilcox was

BRITAIN IS TO REJECT
HAY-PAUNCEFOTE TREATY

London, Feb. 8.—It has been learned by a representative of the Associated Press that a reply will shortly be sent to the United States' Nicaraguan canal project. It will not comply with the senate's demands. Neither will it be in the nature of a flat refusal, though for purposes of immediate gate construction it will be tantamount to such a refusal. It will consist mainly in a counter proposal or proposals, likely to necessitate extended negotiations. The nature of the proposal is not yet ascertained. Lord Pauncefoot will likely be the medium through which the people and the senate's demands will be met. He will be sent and by whom the subsequent negotiations will be conducted.

In British official opinion it is likely that several months will elapse before the matter reaches a conclusion by which time the Hay-Pauncefoot treaty will have elapsed on the basis of the senate's amendment. The British counter proposals are now formulating and it is hoped an entirely new agreement, satisfactory to both countries will be reached.

May Want Alaskan Port.
Washington, Feb. 8.—So far as can be ascertained, the administration has not had any intimation of the counter proposals the London dispatch says will be made in the matter of the Nicaraguan canal project.

Senator Morgan, when informed tonight of the new stand taken by Great Britain, said that he believed that Great Britain has decided to take the action stated. It would create resentment in the senate and among the people and distract the moves of that government. He hoped it might result in some action on the pending bill at this session. Senator Morgan, however, was not willing to say what action, if any, he proposed to bring about such a result. One suggestion made tonight as a possible counter proposal by Great Britain was that in return for concessions made by her she might desire an open port on the Alaskan coast as an entrance into her gold fields in the Klondike.

CONFIRMATIONS OF WOOD, GRANT AND
BELL ARE HELD UP IN THE SENATE

(Special to The Herald.)
Washington, Feb. 8.—Confirmation of the nominations of Major General Leonard Wood, United States volunteer and General J. Franklin Bell to be brigadier generals in the regular army will be opposed in the senate. The senate committee on military affairs today agreed to favorably report the nomination of Major General Bell to be brigadier general and the three nominations of major generals under the army reorganization bill. All the nominations to be brigadier generals were favorably reported except those of Generals Wood, Grant and Bell. These three were held up in order to further investigation.

It is said that in the committee there was no disagreement as to the action taken. The feeling was that Generals Wood, Bell and Grant had not seen them to promotion, as many older and more experienced. While it was stated that the action of the committee was not final, it is understood that the confirmation of the other nominations should be made first.

Army officers passed over by the advancement of Generals Wood and Grant are responsible for this move. The sound of the joints to satisfy herself that all were closed. The jointists, apparently anticipating a raid, had shut and barricaded the doors, and at midnight Mrs. Nation went to her home.

During the evening, Mrs. Nation was questioned about her trip, which had been planned for next week, but she could tell nothing definite about it.

"I will go when the Lord directs me," she said. "At present he wants me to remain here."

Prefers to Lecture for Cash.
She said, however, that she should go to Kansas City today to fill her date there.

"Not to smash," she added, "but simply to lecture."
Some of the volunteer members of Mrs. Nation's crusade claim that their leader has been induced to give up the smashing of joints in order to go on a lecture tour.

Mrs. Nation, speaking today of the storm of reproaches that had been directed against her because of her refusal to lead last night's raid, said: "It was beautiful to see how angry they were. Why do you know, they wanted to scratch my eyes and pull my hair for not going out with them. It was a delicious half hour. I never rather die at the hands of these ignorant women than from the saloon keepers."

Laughs at the Other Women.
Mrs. Nation burst into a hearty laugh and she held her sides and fairly shook with merriment. Then she grew sober once more and said: "I don't lose anything by the indignation of these women, but Kansas gain a great deal. When I first came here I had to do all the talking, but you know, last night I had to stand back and listen to them scolding me."

MRS. NATION
BACKS DOWNRefuses to Lead Women in
Another Raid.PREFERS TO LECTURE
ON A CASH BASISFollowers in Topeka Are High-
ly Enraged.

Topeka, Kan., Feb. 8.—Mrs. Nation displayed the white feather tonight at a meeting of thirty of her followers, who, armed with hatchets, had gathered in secret to arrange a night raid on Topeka joints. Several male students at Washburn college were to come to town armed after midnight and personally take part in the raid, and also see that the crusades were not molested. The excitement at the meeting was intense, the women planning minutely for the raid. It was decided to start out at 3 o'clock in the morning and demolish every joint in town. Suddenly, when everything seemed satisfactorily arranged for a terrific onslaught, Mrs. Nation began putting on her wraps and said she was going home. Instantly her followers were in an uproar. Mingled with expressions of surprise at her quick change of front, came words of condemnation.

Finally one woman who had spent a good part of the day collecting hat-sets and soliciting aid of the crusaders, rushed to where Mrs. Nation stood in the center of a group, and, with her fist in the Wichita woman's face, shouted excitedly: "You are a coward, Mrs. Nation, you are a coward."

"I am not a coward," said Mrs. Nation, with emphasis, "I will go this minute with any one woman and smash a joint."

Refuses to Go.
A dozen voices were raised: "I'll go!" "I'll go!" and for a moment it looked as if an instant raid would result. But Mrs. Nation, soon collecting herself, declared that she was tired, that the "Lord did not wish her to go tonight," and without further ado left the room.

While the women waited to wonder at their leader's latest move, Mrs. Nation, accompanied alone by a reporter, went to the hotel where Mrs. Nation was staying, and there she was seen to satisfy herself that all were closed. The jointists, apparently anticipating a raid, had shut and barricaded the doors, and at midnight Mrs. Nation went to her home.

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KEARNS PUTS THE ROLLERS
UNDER MANAGER LIPPMANMr. O'Meara Becomes Director of the Kearns
Senatorship.Reported that Lippman Gave Offense to the Senator by
Claiming Too Much Credit.

(Special to The Herald.)
WASHINGTON, D. C., FEB. 8.—Joseph Lippman of Salt Lake has been separated from the general management of the Kearns senatorship. This event occurred today, coincident with the arrival of W. P. O'Meara. Mr. O'Meara succeeds Mr. Lippman as director general of Utah's junior senator.

Mr. Lippman's early retirement from the high position of deputy senator created some surprise among the Utahns now in the city. No statement of the causes could be secured from an authoritative source, but gossip has it that the relations between the senator and his manager have been far from cordial since their arrival at Washington. According to one report, Senator Kearns thought Mr. Lippman was claiming a preposterous share of the credit for Kearns' election. The senator believes that the result was due very largely if not entirely to his own astuteness and manipulation and in very small degree to the work of his manager and he was extremely nettled by the complaisance with which Lippman accepted credit for the work.

SENATORIAL DIGNITY OFFENDED.
Another story runs to the effect that Salt Lake papers published the announcement that Lippman was coming to Washington as the senator's manager. The senator, it is understood, authorized no such statement, and accuses Lippman of inspiring the publication. It was an offense to senatorial dignity to proclaim that the senator would be managed. He intended that Lippman should be known as secretary.

It may be safely asserted that these were contributing causes of the Lippman downfall, and when the manager developed some independent ideas concerning the distribution of Utah patronage the senator concluded that he needed a new guide, philosopher and friend.

It is possible that Mr. Lippman will be retained in the Kearns entourage, but if so, his duties will be limited strictly to the conduct of the senator in connection with the less important affairs of state, such as voting upon national legislative measures, preparation of speeches, etc.

O'MEARA AT WORK.
Mr. O'Meara has established himself at the Shoreham and entered at once upon the discharge of his duties. He accompanied Senator Kearns on his third visit to the White House today. The principal reason for their call was to again urge upon the president the necessity of giving Major Frank Grant of Utah an appointment in the regular army. Senator Kearns again requested the president to appoint Major Grant to a paymastership, but it developed that this is not possible, because the latter has passed the age prescribed by the reorganization act. The president, however, assured Senator Kearns that Major Grant would be taken care of and would receive an appointment equivalent to the rank of captain, if not that of major, in some other branch of the service aside from the paymaster's corps.

Mr. O'Meara is also interested in the proper distribution of the \$5,000 which was appropriated by congress over a year ago for the relief of indigent Indians near Pangulth and the selection of a site for the new Indian school in southern Utah, for which congress more than a year ago appropriated \$25,000. The selection of this site rests with Senator Kearns, as Indian Commissioner Jones has referred the entire matter to him. Mr. O'Meara says that Senator Kearns will make this selection in the near future.

SEVENTY-FIVE MEN WORK AT CLEAR CREEK;
SCOFIELD MINERS PLAN A MEETING

(Special to The Herald.)
Schofield, Utah, Feb. 8.—Clear Creek mines are working with seventy-five miners besides the day men. More are applying for work daily. The full capacity of the mine will be sent out by the first of next week.

Hoyle, the delegate sent to Salt Lake, said he had this afternoon, but the men are determined to stay with their work. The strikers are arriving in squads from Camp Gate, disgusted with their reception.

Preparations are being made for a meeting of the miners here, and it is more than likely that the strike will be declared off so the men can go to work Monday if the company see fit to meet the terms. Applications for work continue to come in at the office at Winter Quarters.

**HOUSE DEMOCRATS WIN A POINT
ON THE REVENUE REDUCTION BILL**

Washington, Feb. 8.—The special meeting of the ways and means committee for the purpose of acting upon the revenue reduction bill ended in something of a surprise by the adoption of a resolution submitted by the minority through Representative Richardson of Tennessee for a disagreement to the senate amendments in bulk and requesting a conference with the senate. This was an amendment to the majority resolution, which did not provide for a conference with the senate.

The Republican members had been in conference shortly before, but fixed on no exact programme. Mr. Grosvenor of Ohio first moved to report the bill, but was opposed by a majority of the Republicans, who were divided on the question of a conference. The vote was 10-10, and the bill was then referred to the committee on the revenue.

Some of the Republican members of the committee openly expressed the opinion that the bill was a bad one, and that the ultimate acceptance of the bill as the senate had changed it, increasing the revenue from \$20,000,000 to approximately \$40,000,000.

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